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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,758	10/08/2003	Amir Gluck	1005-3-01 USP	8302

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EXAMINER

PHU, SANH D

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/681,758	Applicant(s) GLUCK, AMIR	
	Examiner Sanh D. Phu	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6-10, 14-16, 19 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-13, 17, 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Election filed on 11/3/06.

Accordingly, claims 1-5, 11-13, 17 and 18 are elected; and claims 6-10, 14-16, 19 and 20 are withdrawn from further consideration.

Specification

2. The disclosure is objected to because of the following informalities:

information for blanks after "Patent Application Number" and "filed on" should be provided.

Appropriate correction is required.

Claim Rejections – 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application

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designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1–5, 11–13, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Plasson et al (6,795,688).

–Regarding to claim 1, Plasson et al discloses a method for establishing a wireless communication interface between a call management device (340) and a plurality of mobile communication devices (e.g., (350), (390)) (see figures 3A, 3B), the method comprising:

procedure (included in (340)) of implementing an association (via record (400) stored in (340)) between the call management device and each of the plurality of mobile communication devices (see col. 13, line 66 to col. 17, line 25, col. 17, line 40 to col. 18, line 36);

procedure (included in (340)) of configuring the call management device as a primary device (master) in a personal area network (PAN) (col. 7, line 61 to col. 8, line 1, col. 11, line 11 to col. 12, line 8, col. 17, lines 59–67, col. 18, line 22 to col. 19, line 12); and

procedure (included in (340)) of configuring each of the plurality of the mobile communication devices as a non-primary device (slave) in the PAN (see col. 7, line 61 to col. 8, line 1, col. 18, lines 5–21).

–Regarding to claim 2, Plasson et al discloses procedure (400) of creating a list of the associations between the call management device and each of the plurality of mobile communication devices (see figure 4A, col. 13, line 66 to col. 17, line 25).

–Regarding to claim 3, Plasson et al discloses that the list is stored in a memory of the call management device (340) (see col. 13, line 66 to col. 14, line 7).

–Regarding to claim 4, Plasson et al discloses that the PAN is a piconet for connecting the call management device to each of the plurality of mobile communication devices using Bluetooth communication technology (see figures 3A, 3B, col. 7, line 62 to col. 8, line 1, col. 11, line 12 to col. 13, line 65).

–Regarding to claim 5, Plasson et al discloses that the call management device can be a device, e.g., a portable printer, located/mounted in a vehicle for

operations, (such a device considered here equivalent with the limitation “hands-free car kit”) (see col. 4, lines 12–25).

–Regarding to claim 11, as similarly applied to claims 1–5, set forth above and herein incorporated, Plasson et al discloses a vehicle-mount call management system (340) connected to N wireless mobile communication devices (e.g., (350, 390)) in a personal area network (PAN) (see figure 3A, 3B), wherein the call management system is configured as a primary device (master) and each of the N wireless mobile communication devices is configured as an a non-primary device in the PAN (slave), wherein the call management system services requests submitted by each of the N wireless mobile communication devices (see also, col. 11, lines 60–62, col. 17, lines 64–67).

–Claim 12 is rejected with similar reasons set forth for claim 4.

–Regarding to claim 13, as applied to claims 2 and 5, Plasson et al discloses that the call management system comprises a device (210) (see figure 2, col. 4, lines 12–25, col. 14, lines 1–7) (considered here equivalent with the limitation “hands-free car kit”) having a list (400) (see figure 4A) of

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associations, each association respectively identifying a corresponding mobile communication device in the PAN.

–Regarding to claim 17, as similarly applied to claims 1–5 and 11–13, set forth above and herein incorporated, (see figure 3A, 3B), Plasson et al discloses a wireless mobile communication device (340) in a personal area network (PAN), wherein the personal area network comprises a plurality of N wireless mobile communication devices (e.g., (350, 390) configured as non–primary devices (slaves) and a call management system configured as a primary device (master) for servicing requests submitted by the N wireless mobile communication devices.

–Claim 18 is rejected with similar reasons set forth for claim 4.

Response to Arguments

5. Applicant's arguments filed on 11/3/06 have been fully considered but they are not persuasive. The applicant mainly argues that the restriction requirement is not proper.

The examiner respectfully disagrees. According to M.P.E.P. 806.04(f), when two or more species are claimed, a requirement for restriction to a single

species may be proper if the species are mutually exclusive, claims to different species are mutually exclusive if one claim recites the limitations disclosed only for a first species but not for a second species, while the second claim recites the limitation disclosed only for the second species and not for the first species.

For the situation of the instant application, distinctly, species I has at least the limitations “configuring the call management device as a primary device” and “configuring each of the plurality of the mobile communication devices as a none-primary device”, as recited in claim 1, the limitations “the call management system is configured as a primary device and each of the N wireless mobile communication devices is configured as a non-primary device”, as recited in claim 11, and the limitations “a plurality of N wireless mobile communication devices configured as non-primary devices and a call management system configured as a primary device”, as recited in claim 17, while distinctly, species II has at least the limitations “configuring each of the plurality of the mobile communication devices, respectively, as a primary device” and “configuring the call management device as a non-primary device”,

as recited in claim 6, the limitations “the call management system is configured as a non-primary device” and “each of the N wireless mobile communication devices is configured as a primary device”, as recited in claim 14, and the limitations “a call management system configured as a non-primary device” and “at least a second wireless mobile communication device in a second PAN, wherein the second wireless mobile communication is respectively configured as a second primary device”, as recited in claim 19.

Since species I and II are distinct to each other, the simultaneous examination on species I and II will present a burden to the examiner.

Therefore, the restriction is deemed proper and still maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D. Phu whose telephone number is (571)272-7857. The examiner can normally be reached on M-Th from 7:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571) 272-

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4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SP

Sanh D. Phu
Examiner
Division 2618

12/12/06



SANH D. PHU
PATENT EXAMINER